

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**GERALD WAITES, et al.,**

**Plaintiff,**

**vs.**

**LIFE CARE CENTERS OF AMERICA,  
INC., et al.,**

**Defendants.**

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**8:04cv562**

**ORDER**

This matter is before the court on the Motion for Leave to Withdraw as Counsel for the Plaintiff (#32). Maren Chaloupka, counsel for the plaintiff, appeared telephonically. Brian McGrath appeared for the defendant. Gerald Waites appeared ten minutes after the hearing began. Hearing was held, and the court finds the Motion for Leave to Withdraw as Counsel for the Plaintiff (#32) should be granted. Leave is granted for Maren Lynn Chaloupka and Wendy M. Lassey to withdraw as counsel for the plaintiff.

Gerald Waites, in his capacity as Guardian for the plaintiff, Eva Robinson, alleged incapacitated person, informed the court that he wishes to dismiss the lawsuit and not proceed. The court informed Mr. Waites that the court would consider a written motion for dismissal and that motion should be filed on or before August 19, 2005.

**IT IS ORDERED:**

1. The Motion for Leave to Withdraw as Counsel for the Plaintiff (#32) is granted.
2. The Clerk shall terminate the appearances of Maren Chaloupka and Wendy Lassey as counsel for Gerald Waites in his capacity as Guardian Ad Litem, and shall remove them from the distribution list for this case.

Dated this 4<sup>th</sup> day of August 2005.

BY THE COURT:

S/ F.A. Gossett  
United States Magistrate Judge